

## REMARKS

Claims 1, 2, 4-6, 8-16, 18-26, 39-42, and 45 were pending in the Application prior to the outstanding Office Action. In the Office Action, claims 1, 2, 4-6, 8-16, 18-26, 39-42, and 45 were rejected under 35 U.S.C. §103(a). Applicants note that claim 46 had been canceled in the previous response even though it inadvertently appeared in the listing of claims and is listed as being rejected on the Office Action Summary. In the Listing of Claims above, Applicants have amended claims 1, 2, 4-6, 8, 9, 15, 16, 18-22, 39 and 41.

### **I. RESPONSE TO REJECTIONS UNDER 35 U.S.C. §103(a)**

On page 2 of the Office Action mailed on August 8, 2005, the Examiner rejected claims 1, 2, 4-6, 8-16, 18-26, 39-42, and 45 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,470,227 issued to Rangachari et al. ("*Rangachari*"), in view of U.S. Patent No. 6,463,352 issued to Tadokoro et al. ("*Tadokoro*"). Applicants note that in the rejection the Examiner makes references to previously canceled claims 27-28, 30-38, 43-44 and 46. Applicants will respond to the Office Action based on the currently pending claims.

*Rangachari* describes details of a material handling system in which object oriented programming is used to interface between applications and equipment. *Rangachari* discloses a number of software "servers" 49, all of which run on a single computer program 10 in addition to an equipment manager 18 and a workflow engine 19. In *Rangachari*, a graphical user interface is disclosed with respect to workflow definition and registration, which is the process of determining in advance the steps of a job. *Rangachari* does not disclose a user interface with respect to direct tool management, and does not disclose remote management of a tool through requests received via a network. *Rangachari* does not teach or suggest a tool server, such as in a preferred embodiment of the present invention, in which a user running a Web browser can communicate over a network to operate a tool.

*Tadokoro* describes the management of cutting machines over a network. Status information for each cutting machine is received by a data acquisition device and reported to a machine monitor object. Remote users running Web browsers can manipulate a database containing the details of a job order, and can query the status of machines. The cutting machines of *Tadokoro* can only be queried over the network. *Tadokoro* does not disclose the ability to remotely perform any action on cutting machines (see for example, Col. 1, lines 27-30). Figures

1, 2a and 2b illustrate cutting machines 1 with a one way path to data acquisition devices 3. *Tadokoro* does not teach or suggest a tool server, such as in the preferred embodiment of the present invention, in which a user running a Web browser can communicate over a network to operate a tool.

**A. Independent Claim 1 is Patently Distinguishable over *Rangachari* in view of *Tadokoro***

On page 6 of the Office Action, the Examiner indicates that three distinctions made by the Applicant are not recited in the rejected claims. In particular, with regard to point A, the Applicant stated in the previous response that “*Rangachari* does not disclose a user interface with respect to direct tool management, and does not disclose remote management of a tool through requests received via a network.” Applicants assert that this feature is recited in Claim 1, which as amended recites a “remote client system” that sends requests via a network “wherein the remote client system comprises a user interface to the tool.”

With regard to points B and C, the Applicant stated in the previous response that neither *Rangachari* nor *Takarodo* “teach or suggest a tool server, such as in a preferred embodiment of the present invention, in which a user running a Web browser can communicate over a network to operate a tool.” Applicants assert that this feature is recited in Claim 1, which as amended recites “an intermediate tool server apparatus” in which a “remote client system” sends requests via a network and “wherein the remote client system comprises a user interface to the tool utilizing a Web browser.”

Therefore, the method recited in claim 1 is not obvious over *Rangachari* in view of *Tadokoro*.

**B. Dependent Claims 2, 4-6, 8-14, 39 and 40 are Patently Distinguishable over *Rangachari* in view of *Tadokoro***

Dependent claims 2, 4-6, 8-14, 39 and 40 depend directly or indirectly from independent claim 1. These dependent claims include all of the limitations of the independent claim from which they depend. Applicants respectfully assert that dependent claims 2, 4-6, 8-14, 39 and 40 are allowable for at least the reasons set forth above concerning independent claim 1.

C. **Independent Claim 15 is Patently Distinguishable over *Rangachari* in view of *Tadokoro***

On page 6 of the Office Action, the Examiner indicates that three distinctions made by the Applicant are not recited in the rejected claims. In particular, with regard to point A, the Applicant stated in the previous response that “*Rangachari* does not disclose a user interface with respect to direct tool management, and does not disclose remote management of a tool through requests received via a network.” Applicants assert that this feature is recited in Claim 15, which as amended recites a “remote client system” that sends requests via a network “wherein the remote client system comprises a user interface to the tool.”

With regard to points B and C, the Applicant stated in the previous response that neither *Rangachari* nor *Takarodo* “teach or suggest a tool server, such as in a preferred embodiment of the present invention, in which a user running a Web browser can communicate over a network to operate a tool.” Applicants assert that this feature is recited in Claim 15, which as amended recites “circuitry operable on a tool server” in which a “remote client system” sends requests via a network and “wherein the remote client system comprises a user interface to the tool utilizing a Web browser.”

Therefore, the system recited in claim 15 is not obvious over *Rangachari* in view of *Tadokoro*.

D. **Dependent Claims 16, 18-26, 41, 42 and 45 are Patently Distinguishable over *Rangachari* in view of *Tadokoro***

Dependent claims 16, 18-26, 41, 42 and 45 depend directly or indirectly from independent claim 15. These dependent claims include all of the limitations of the independent claim from which they depend. Applicants respectfully assert that dependent claims 16, 18-26, 41, 42 and 45 are allowable for at least the reasons set forth above concerning independent claim 15.

### Additional Remarks

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application are allowable, and a Notice of Allowance is requested.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-3548 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: April 17, 2006

By: \_\_\_\_\_

  
Scott D. Sanford, Reg. No. 51,170

O'MELVENY & MYERS LLP  
275 Battery Street, 26th Floor  
San Francisco, California 94111-3344  
Telephone: (415) 984-8700  
Facsimile: (415) 984-8701  
Email: ssanford@omm.com

SF1:625181.1